

SEALED**UNITED STATES DISTRICT COURT**for the
District of Nebraska

United States of America

v.

Nyree BURDINE

Case No.

8:22MJ437

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 10, 2022 in the county of Douglas in the
 District of Nebraska, the defendant(s) violated:*Code Section*

18 USC § 1344

Offense Description

On or about May 10, 2022, in the District of Nebraska, the defendant, Nyree Burdine did knowingly obtain money, funds, credits, assets, securities or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises; to wit, passing a fraudulent check.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.*Complainant's signature*

SA Scott Mollner

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/29/2022*Judge's signature*City and state: Omaha, Nebraska

Michael D. Nelson, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NYREE BURDINE,

Defendant.

AFFIDAVIT OF SCOTT MOLLNER
IN SUPPORT OF A COMPLAINT

Your Affiant, Scott Mollner, being duly sworn, does depose and state:

1. I am a Special Agent ("SA") with Homeland Security Investigations (HSI), a component of the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), and have been so employed since September 2019. HSI Agents are authorized to investigate violations found in Title 8, 18, 19 and Title 42 of the United States Code. I was previously employed as a Deportation Officer with the ICE Enforcement and Removal Office (ERO) from 2007 through 2019. While employed by HSI, I have investigated federal criminal violations related to bank fraud and the unlawful use of fraudulent monetary instruments. I have received training at the Federal Law Enforcement Training Center and gained experience through everyday work relating to conducting these types of investigations.

2. I am aware of the information set forth below through personal investigation, discussions with First National Bank of Omaha (FNBO) fraud investigators, and discussions with employees at O L Scheer Co. (Scheer's Ace). At all times described below, FNBO was insured by the Federal Deposit Insurance Corporation.

3. On May 10, 2022 at approximately 13:25, a non-FNBO customer entered the lobby at the FNBO branch located at 3808 N 203rd St, Omaha, NE and presented a fraudulent check to an FNBO bank teller drawing \$5,821.30 against the account of O L Scheer dba Scheer's Ace.

4. The FNBO teller verified the non-FNBO customer's State of Texas ID matched the payee name Nyree BURDINE on the check. The FNBO teller recorded the ID number (46413089) in FNBO's computer system.

5. The FNBO teller verified the phone number on the fraud check matched the phone number in bank records, and called that number to verify the check's authenticity. The person who answered the telephone at this number confirmed the check to be authentic and valid.

6. In accordance with bank policy regarding cashing checks for non-FNBO customers, the FNBO teller required that BURDINE provide an inked fingerprint on the face of the check.

7. Believing the check was valid, the teller cashed the fraudulent check and provided BURDINE with \$5,821.30 in cash. BURDINE took that money and exited the bank.

8. On May 12, 2022, FNBO fraud investigator A. Vetter contacted me to advise of potential check fraud activity against the account of FNBO customer Scheer's Ace. Ms. Vetter advised that FNBO representatives had contacted employees at Scheer's Ace after the above transaction and confirmed no such check had been issued to Nyree BURDINE or anyone else. In addition, a representative of FNBO later reported to me that an unauthorized person had contacted FNBO, impersonated a Scheer's Ace employee, and

had FNBO change the customer contact phone number on the account to one that matched the phone number on the fraudulent check.

9. The following day, FNBO provided me with the physical fraudulent check document. The following is a description of that document:

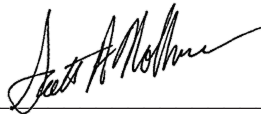
- a. The face of the fraud check shows check number 26469 in the top right corner.
- b. The top left-hand corner of the fraud check shows the true name and address for Scheer's Ace, however, the phone number in this section has been altered to the imposter number called by the FNBO bank teller.
- c. The name Nyree BURDINE and the address 12009 Coit Rd. #1407, Dallas, TX 75251 is typed on the "PAY TO THE ORDER OF" line.
- d. An inked fingerprint appears at the bottom of the check face.
- e. A fraudulent signature of J Scheer is shown on the "Authorized Signature" line.
- f. The back of the fraudulent check shows BURDINE's signature, with BURDINE's cellular phone number hand-written below.
- g. The back of the fraudulent check also shows a date and time stamp showing the check was cashed on May 10, 2022 at 13:25:48.

10. On May 16, 2022, I provided the above-described fraudulent check to the Douglas County Sheriff's Office Forensics Services Bureau (DCSO FSB) and requested an examination of both inked and latent fingerprints on this document. On June 24, 2022, SA Mollner received a report from DCSO FSB confirming the inked print on the face of the fraudulent check matches a known fingerprint belonging to BURDINE.

11. Security video taken at the branch location during the transaction shows BURDINE standing at the teller window. The individual in these security images bears resemblance to the photograph on BURDINE's State of Texas ID (46413089).

12. Based on these facts, your Affiant has reason to believe that Nyree BURDINE obtained moneys or funds owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises; in violation of 18 USC § 1344.

I declare under the penalty of perjury that the foregoing facts and circumstances are true and correct to the best of my knowledge and belief.



Special Agent Scott Mollner
Homeland Security Investigations

Sworn to before me by reliable electronic means:

Date: 07/29/2022

City and State: Omaha, Nebraska



Michael D. Nelson, U.S. Magistrate Judge